

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.8263 OF 2006

Shri Aadhik Nivrutti Karande : Petitioner

V/s.

Dr.Mrs.Anuradha Sanjay Joshi : Respondent

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Mr.N.R.Bubna for the petitioner.

Ms Ranjana Parikh for the respondent.

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CORAM : S.A.BOBDE, J.

DATE : JULY 16, 2007.

P.C.

Rule, returnable forthwith.

Heard by consent.

2. The petitioner has challenged the rejection of the stay application in the revision preferred by him. According to the petitioner, reasons have not been given for refusing the stay. It is a fact that detailed reasons for such refusal have not been recorded. However, having regard to the overall circumstances and particularly having regard to the fact that the revision has been admitted by the Addl. Commissioner for consideration, it would be appropriate in the interest of justice to pass

the following order:-

O R D E R

The impugned order dated 23.11.2006 refusing to grant stay, without recording any reasons, is hereby set aside. The Addl. Commissioner, Pune, shall decide Revision Application no.417 of 2006 not later than three months from the date the parties appear before it. The parties are directed to appear on 23.7.2007. Pending the Revision Application, the petitioner shall deposit a sum of Rs.15,501/- per month from 1.3.2004 till date and in future in the Court of the Addl. Commissioner, Pune. The arrears till date shall be deposited within a period of four weeks from today.

3. The rule is made absolute in the above terms.

S.A. BOBDE, J.